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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M 1 - 894

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UNITED STATES OF AMERICA

- against -

C O M P L A I N T

(T. 18, U.S.C., § 1546)

GBOLAHAN THOMAS RUFAY,
also known as
"Donald Noibi,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JANELLE RUDIE, being duly sworn, deposes and states that she is a Special Agent with United States Department of State, Diplomatic Security Service, duly appointed according to law and acting as such.

Upon information and belief, on or about September 2, 2011, within the Eastern District of New York, the defendant GBOLAHAN THOMAS RUFAY, also known as "Donald Noibi," did knowingly and willfully use and attempt to use a United States visa that was procured by means of a false claim or statement and other wise procured by fraud and unlawfully obtained.

(Title 18, United States Code, Section 1546(a)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Special Agent with United States Department of State, Diplomatic Security Service. My information comes from a joint investigation of the Department of State and the United States Customs and Border Protection agency ("CBP"). I am familiar with the facts and circumstances set forth below from my participation in the investigation and from reports of other law enforcement officers involved in the investigation.

2. On or about September 2, 2011, the defendant GBOLAHAN THOMAS RUFAI, also known as "Donald Noibi," arrived at John F. Kennedy International Airport in Jamaica, New York on British Airways flight BA175 from London, England, and entered the United States by presenting a Nigerian passport and valid United States B1/B2 tourist visa, Visa Foil no. C7302161, issued by the United States Department of State Bureau of Consular Affairs on December 3, 2010. The name appearing on the passport and visa was "Gbolahan Thomas Rufai."

3. After presenting his passport and visa, the defendant was selected for a secondary inspection by CBP officers.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

4. A facial recognition search in the Consular Consolidated Database using the photograph contained on the defendant's current visa application was performed. This search revealed that a photograph very similar to the photograph on the defendant's current visa application was used on a visa application under the name "Donald Noibi" that was refused on March 21, 2002. The defendant admitted that it was his photograph on the visa application in the name of "Donald Noibi" that was refused in 2002.

6. The defendant was thereafter read his Miranda rights in English, which he stated he understood and waived. The defendant subsequently admitted, in sum and substance, that, after he been denied a visa in 2002, he decided to try to obtain one through an agent. The defendant admitted that he arranged for a man named "Ade" to complete a visa application for him and provide the defendant with fictitious work registration, a false marriage certificate, and false bank statements to use in support of his visa application. The defendant stated that he agreed to pay Ade 45,000 Nigerian Naira, which is equivalent to approximately 290 United States dollars. The defendant further admitted that he lied during his visa interview.

WHEREFORE, your deponent respectfully requests that the defendant GBOLAHAN THOMAS RUFAI, also known as "Donald Noibi," be dealt with according to law.

Janelle Rudie
JANELLE RUDIE
Special Agent
United States Department of State
Diplomatic Security Service

Sworn to before me this
4th day of September 2011

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